BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

IN RE APPLICATION NO. 96-1	)
	)
OLYMPIC PIPE LINE COMPANY:	)
CROSS CASCADE PIPELINE PROJECT	)
	)
	)

EXHIBIT _____ (KC - RT7)

REBUTTAL TESTIMONY OF KATY CHANEY

ISSUE: LAND USE AND AGRICULTURAL IMPACTS

SPONSOR: OLYMPIC PIPE LINE COMPANY

R. State your name.

A. Katy Chaney

Q. What topics will you address in your rebuttal testimony?

A. My rebuttal testimony is intended to respond to all of the testimony filed concerning environmental or land use impacts related to the project, and the mitigation of those impacts. My rebuttal testimony will address the following topics:

(1) Olympic's approach to environmental assessment and mitigation;

(2) Visual Impacts;

(3) Noise Impacts;

(4) Geotechnical hazards;

(5) Stream Crossings, Water Quality and Water Resources;

(6) Fish, Wildlife and Endangered Species

(7) Wetlands and Vegetation;

(8) Recreation;

(9) Land Use, including Agriculture.

For the Council's convenience, my rebuttal testimony has been divided into several different exhibits, organized roughly according to the likely organization of the adjudicatory proceedings. This exhibit addresses land use issues, including agricultural issues.

Land Use

Q. Have the specific land uses along the corridor been described in the Application?

A. Yes, land use is discussed in sections 2.1 and 5.1 of the Application. Section 2.1 provides a milepost (MP) to milepost description of the land uses within and along the corridor, dividing the pipeline corridor into specific land use categories. For example, the first segment is MP 0 to 8.15, which is an urban and rural residential section. The land uses found within that segment are described, including major road crossings, streams and wetlands. The second segment, is MP

8.15 to MP 9.3, which is agricultural, and includes the crossing of the Snoqualmie River on the bridge. Similar descriptions are also included in Section 5.1, beginning on page 5.1-10.

Q. Does the Application discuss the amount of land that would be permanently converted to utility use?

A. Yes. The permanent conversion of land use would only occur at the pump station sites and at the Kittitas Terminal. The descriptions of the existing land uses found at each site, and the acreage that would be utilitzed for the project are found on page 5.1-15. All of the existing sites are vacant. Only two of the sites are currently used for agriculture, the Kittitas Terminal site and the Othello Pump Station site. The Othello Pump Station site would not be constructed as part of the first stage of the project, but would be constructed to accommodate future demands for product from eastern Washington.

Q. Several witnesses provided testimony concerning the consistency of the proposed project with local land use codes and sensitive areas ordinance. What is your response to this testimony?

A. It is my understanding that these Land Use Consistency issues will be addressed in the continuation of the Land Use hearings rather than during the adjudicatory hearing itself. In general, the Application Section 5.1 addresses the consistency of the project with local land use requirements. We have worked with local jurisdictions to address local land use concerns, and for each of the counties Dames & Moore has provided those jurisdiction with draft reports concerning land use issues. As noted in Section 5.1 of the Application, the zoning codes for both King County and Snohomish County permit pipelines by conditional use in all zones. The zoning codes for the eastern Washington counties do not list pipelines as a use. Adams County has a provision whereby the Planning Director can approve a use that is similar to other permitted uses, and we have received an indication from Dee Caputo of Adams County that the project would be permitted under that provision. We have applied for amendments to the zoning

codes of both Grant and Kittitas Counties to add both definitions and permitting language for pipelines and associated uses. These amendment processes have not been completed by the counties. On April 2, 1996, the Franklin County Planning Commission found that the pipeline could be permitted as a conditional use. I testified in the original land use consistency hearings and I anticipate providing additional testimony addressing land use hearings when those hearings are resumed.

Agriculture

Q. Were the impacts of the project on agriculture analyzed in the Application?

A. Yes. This analysis is discussed in the Application, beginning on page 5.1-130.

Q. What aspects of agricultural uses did you consider in preparing the Application?

A. Dames & Moore considered three primary indicators of agricultural use: soil types classified by the USDA Natural Resource Conservation Service as "prime farmland"; actual use for agricultural crops; and irrigation methods.

Q. Did you consider the use of range land grown for the consumption of cattle, sheep, and other range animals?

A. Yes, the use of range land is described throughout the existing conditions section of the application, beginning on page 5.1-131. The impacts to livestock feeding on range land is discussed in Section 5.1.7.4 Impacts, beginning on page 5.1-135. We found: "The proposed pipeline route avoids all commercial livestock corrals, however it crosses through several miles of livestock pasture and grazing areas, particularly in eastern Washington. In these areas, temporary removal of fencing and gates to provide construction vehicle access could require restriction of livestock to other fenced areas and could temporarily reduce the amount of land available for grazing. Construction activities could also temporarily disrupt livestock access to supplementary feeding and watering stations for periods of up to three hours while temporary construction access is provided. Pasture and grazing areas crossed by the pipeline route will also

experience small losses of available forage as vegetation is removed, and soil is disturbed and compacted by construction activities. However, no livestock mortalities are expected as a direct result of construction.

Q. How wide is the construction corridor?

A. The construction corridor width varies across the entire 230 mile route, but the maximum width is sixty feet. In eastern Washington, where the route is not following an existing trail or transmission corridor, the route has been located primarily along section lines or adjacent to roadways.

Q. Is a sixty foot corridor a small portion of the range land in eastern Washington?

A. Yes, some of the areas that are crossed by the pipeline corridor in eastern Washington are range lands that are miles wide. A sixty foot corridor would not be unlike a maintenance road or driveway.

Q. How would access to food and water be made available for livestock on the range land during construction?

A. As noted in Section 5.1.7.5 of the Application, Olympic will coordinate construction activities with landowners to ensure livestock access to feeding and watering stations. This would likely involve the temporary placement of portable feeding and watering stations if the pipeline corridor construction would block access for livestock from their usual feeding and watering places. The construction disturbance would be of short duration, however, because construction can progress as quickly as over a mile a day in flat open areas. Construction will, therefore, have only a temporary effect on adjacent livestock grazing.

Q. Would the livestock that graze on range land be fenced off from the pipeline route?

A. No. When Olympic completes the construction process, the corridor will be restored to its previous condition in terms of fencing. If no fencing previously existed, no new fencing will be installed unless the landowner has requested that Olympic install fencing.

Q. In reviewing the impacts to crop lands, did you identify the specific types of crops grown in each county within the pipeline corridor?

A. Yes, we surveyed the entire route to identify the specific crops. There is a table on page 5.1-136 of the Application, Table 5.1-9, that identifies the crops for each county that would be affected. These crops include hay in Snohomish and King Counties; corn, potatoes, wheat, barley, oats and hay in Kittitas County; potatoes, beans, asparagus mint, wheat, barley, oats, corn and hay in Grant County; wheat, oats, barley, corn, potatoes, beans and hay in Adams County; and these same crops plus asparagus and carrots in Franklin County.

Q. Did you also identify the total acreage by County that is under crop production?

A. Yes, we provided a six year (1989-1994) average by county for total cropland acreage.

Q. How did you relate the project impacts to the County crop productions?

A. We calculated the size of the impacted area that was under crop production, assuming a worst case impact area of a 60-foot wide corridor. We then identified, by County, the percentage of cropland potentially affected (by dividing the total cropland into the affected acreage).

Q. Are these impacts considered permanent or temporary?

A. We consider the impacts to croplands to be temporary. The pipeline has been routed to avoid most, if not all, irrigation circles, and has been routed to avoid impacts to asparagus, vineyards and orchards. The pipeline would be buried deep enough to allow crops to be grown over the top. Whenever feasible, Olympic will time construction activities to avoid planting, growing or harvesting periods and to minimize impacts on crop production. If it is not possible to time the construction to avoid impacting crop production, Olympic will compensate the farmer for the loss of that season's crop production.

Q. Is this information also shown on Table 5.1-9?

A. Yes, the table (on page 5.1-136 of the Application), shows the information in the fifth column. The percentage of crop lands affected range from one-hundredth of a percent (0.01%) in Adams

County, to approximately one-tenth (0.12") of a percent in Kittitas County. The total crop land in Kittitas County is approximately 57,000 acres. This project, again assuming the maximum corridor width of 60 feet, would temporarily impact approximately 66 acres.

Q. Does the Application describe the acreage of prime farmlands that may be affected by construction?

A. Yes, on Table 5.1-8 on page 5.1-135. For the entire 230-mile corridor, approximately 330 acres of land classified as "prime farmland" would be affected.

Q. Does classification as "prime farmland" mean that the land is actually used for farmland?

A. No, this classification is made by the USDA Natural Resource Conservation Service based only on soil type. The land could be unused. There are also crops grown on soils that do not meet the soil typing as "prime farmland".

Q. Will the soil type change as a result of pipeline construction?

A. No, OPL has agreed to remove the top soil and stockpile it during construction. The trench in most places would only be approximately 5 feet deep. The pipe will be laid in the trench and then the stockpiled top soil will be replaced, compacted, restored to its original grade, and then revegetated.

DATED: March 24, 1999.

_____

Katy Chaney